

CLERK OF THE COUNCIL
Dana Brown-Davis, C.M.C.

COUNTY COURTHOUSE
311 Grand Avenue, Suite #105
Bellingham, WA 98225-4038
(360) 676-6690



COUNCILMEMBERS
Barbara Brenner
Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Carol Frazey
Satpal Sidhu

WHATCOM COUNTY COUNCIL

**SECOND AGENDA REVISION NOTICE
FOR DECEMBER 4, 2018**
(DISTRIBUTED AT 2:45 P.M. ON DECEMBER 4, 2018)

The following items have been removed from the evening Council meeting agenda:

OTHER ITEMS

2. ~~Ordinance amending Whatcom County Code Chapter 2.78, Solid Waste Advisory Committee (AB2018-351)~~
~~**Pages 32-35**~~
 3. ~~Ordinance amending Whatcom County Code 2.03, Boards and Commissions (AB2018-350)~~
~~**Pages 36-41**~~
-

The following item has been added to the evening Council meeting agenda:

OTHER ITEMS

13. Resolution approving the Glacier Water District Water Comprehensive System Plan (AB2018-307) (from 11/7) (paperwork attached)

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. **2018 307**

<i>CLEARANCES</i>	<i>Initial</i>	<i>Date</i>	<i>Date Received in Council Office</i>	<i>Agenda Date</i>	<i>Assigned to:</i>
<i>Originator:</i>		10/29/2018		11/7/2018	PW/Council
<i>Division Head:</i>					
<i>Dept. Head:</i>		10.31.18 ✓			
<i>Prosecutor:</i>	KNF	11/1/18			
<i>Purchasing/Budget:</i>					
<i>Executive:</i>					

TITLE OF DOCUMENT:

Resolution Approving Glacier Water District Water System Comprehensive Plan

ATTACHMENTS:

<i>SEPA review required?</i>	() Yes	() NO	<i>Should Clerk schedule a hearing?</i>	() Yes	(X) NO
<i>SEPA review completed?</i>	() Yes	() NO	<i>Requested Date:</i>		

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: *(If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)*

Resolution Approving Glacier Water District Water System Comprehensive Plan

COMMITTEE ACTION:

COUNCIL ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: *Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.*

PROPOSED BY: _____
INTRODUCTION DATE: November 7, 2018

RESOLUTION NO. _____

**APPROVING THE GLACIER WATER DISTRICT
WATER SYSTEM COMPREHENSIVE PLAN**

WHEREAS, the Glacier Water District has been in the process of developing a Water System Comprehensive Plan; and

WHEREAS, State law (RCW 57.16.010(7)) requires the County Council to approve, conditionally approve, or reject comprehensive water system plans; and

WHEREAS, the Whatcom County Public Works Department approved the Water System Comprehensive Plan on June 12, 2018; and

WHEREAS, the Whatcom County Planning and Development Services Department issued a Local Government Consistency Determination relating to the Water System Comprehensive Plan on July 20, 2018; and

WHEREAS, the Whatcom County Health Department approved the Water System Comprehensive Plan on July 11, 2018; and

WHEREAS, the Glacier Water District submitted a final Water System Comprehensive Plan (August 2018), revised to address agency comments, for review and approval by the County Council; and

WHEREAS, under the provisions of state law, the Whatcom County Comprehensive Plan, and County-wide Planning Policies, water service in rural areas must be at rural levels and should not be used as a basis for rezoning property; and

WHEREAS, the County Council reviewed Glacier Water District Water System Comprehensive Plan for compliance with the approval criteria set forth in RCW 57.16.010(7) and RCW 57.02.040 and finds that the plan satisfies these criteria, subject to the following condition:

1. Water service shall be provided consistent with densities allowed in the Whatcom County Zoning Code (Title 20).

NOW, THEREFORE, BE IT RESOLVED that the County Council hereby approves the Glacier Water District Water System Comprehensive Plan dated August 2018.

APPROVED this _____ day of _____ 2018.

ATTEST

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Rud Browne, Council Chair

APPROVED AS TO FORM:



Civil Deputy Prosecutor

RCW 57.16.010

General comprehensive plan of improvements—Approval of engineer, director of health, and city, town, or county—Amendments.

Before ordering any improvements or submitting to vote any proposition for incurring any indebtedness, the district commissioners shall adopt a general comprehensive plan for the type or types of facilities the district proposes to provide. A district may prepare a separate general comprehensive plan for each of these services and other services that districts are permitted to provide, or the district may combine any or all of its comprehensive plans into a single general comprehensive plan.

(1) For a general comprehensive plan of a water supply system, the commissioners shall investigate the several portions and sections of the district for the purpose of determining the present and reasonably foreseeable future needs thereof; shall examine and investigate, determine, and select a water supply or water supplies for such district suitable and adequate for present and reasonably foreseeable future needs thereof; and shall consider and determine a general system or plan for acquiring such water supply or water supplies, and the lands, waters, and water rights and easements necessary therefor, and for retaining and storing any such waters, and erecting dams, reservoirs, aqueducts, and pipe lines to convey the same throughout such district. There may be included as part of the system the installation of fire hydrants at suitable places throughout the district. The commissioners shall determine a general comprehensive plan for distributing such water throughout such portion of the district as may then reasonably be served by means of subsidiary aqueducts and pipe lines, and a long-term plan for financing the planned projects and the method of distributing the cost and expense thereof, including the creation of local improvement districts or utility local improvement districts, and shall determine whether the whole or part of the cost and expenses shall be paid from revenue or general obligation bonds.

(2) For a general comprehensive plan for a sewer system, the commissioners shall investigate all portions and sections of the district and select a general comprehensive plan for a sewer system for the district suitable and adequate for present and reasonably foreseeable future needs thereof. The general comprehensive plan shall provide for treatment plants and other methods and services, if any, for the prevention, control, and reduction of water pollution and for the treatment and disposal of sewage and industrial and other liquid wastes now produced or which may reasonably be expected to be produced within the district and shall, for such portions of the district as may then reasonably be served, provide for the acquisition or construction and installation of laterals, trunk sewers, intercepting sewers, syphons, pumping stations or other sewage collection facilities, septic tanks, septic tank systems or drainfields, and systems for the transmission and treatment of wastewater. The general comprehensive plan shall provide a long-term plan for financing the planned projects and the method of distributing the cost and expense of the sewer system and services, including the creation of local improvement districts or utility local improvement districts; and provide whether the whole or some part of the cost and expenses shall be paid from revenue or general obligation bonds.

(3) For a general comprehensive plan for a reclaimed water system, the commissioners shall investigate all portions and sections of the district and select a general comprehensive plan for a reclaimed water system for the district suitable and adequate for present and reasonably foreseeable future needs thereof. The general comprehensive plan

must provide for treatment plants or the use of existing treatment plants and other methods and services, if any, for reclaiming water and must, for such portions of the district as may then reasonably be served, provide for a general system or plan for acquiring the lands and easements necessary therefor, including retaining and storing reclaimed water, and for the acquisition or construction and installation of mains, transmission mains, pumping stations, hydrants, or other facilities and systems for the reclamation and transmission of reclaimed water throughout such district for such uses, public and private, as authorized by law. The general comprehensive plan must provide a long-term plan for financing the planned projects and the method of distributing the cost and expense of the reclaimed water system and services, including the creation of local improvement districts or utility local improvement districts; and provide whether the whole or some part of the cost and expenses must be paid from revenue or general obligation bonds.

(4) For a general comprehensive plan for a drainage system, the commissioners shall investigate all portions and sections of the district and adopt a general comprehensive plan for a drainage system for the district suitable and adequate for present and future needs thereof. The general comprehensive plan shall provide for a system to collect, treat, and dispose of stormwater or surface waters, including use of natural systems and the construction or provision of culverts, stormwater pipes, ponds, and other systems. The general comprehensive plan shall provide for a long-term plan for financing the planned projects and provide for a method of distributing the cost and expense of the drainage system, including local improvement districts or utility local improvement districts, and provide whether the whole or some part of the cost and expenses shall be paid from revenue or general obligation bonds.

(5) For a general comprehensive plan for street lighting, the commissioners shall investigate all portions and sections of the district and adopt a general comprehensive plan for street lighting for the district suitable and adequate for present and future needs thereof. The general comprehensive plan shall provide for a system or systems of street lighting, provide for a long-term plan for financing the planned projects, and provide for a method of distributing the cost and expense of the street lighting system, including local improvement districts or utility local improvement districts, and provide whether the whole or some part of the cost and expenses shall be paid from revenue or general obligation bonds.

(6) The commissioners may employ such engineering and legal service as in their discretion is necessary in carrying out their duties.

(7) Any general comprehensive plan or plans shall be adopted by resolution and submitted to an engineer designated by the legislative authority of the county in which fifty-one percent or more of the area of the district is located, and to the director of health of the county in which the district or any portion thereof is located, and must be approved in writing by the engineer and director of health, except that a comprehensive plan relating to street lighting shall not be submitted to or approved by the director of health. The general comprehensive plan shall be approved, conditionally approved, or rejected by the director of health and by the designated engineer within sixty days of their respective receipt of the plan. However, this sixty-day time limitation may be extended by the director of health or engineer for up to an additional sixty days if sufficient time is not available to review adequately the general comprehensive plans.

Before becoming effective, the general comprehensive plan shall also be submitted to, and approved by resolution of, the legislative authority of every county within whose boundaries all or a portion of the district lies. The general comprehensive plan shall be

approved, conditionally approved, or rejected by each of the county legislative authorities pursuant to the criteria in RCW 57.02.040 for approving the formation, reorganization, annexation, consolidation, or merger of districts. The resolution, ordinance, or motion of the legislative body that rejects the comprehensive plan or a part thereof shall specifically state in what particular the comprehensive plan or part thereof rejected fails to meet these criteria. The general comprehensive plan shall not provide for the extension or location of facilities that are inconsistent with the requirements of RCW 36.70A.110. Nothing in this chapter shall preclude a county from rejecting a proposed plan because it is in conflict with the criteria in RCW 57.02.040. Each general comprehensive plan shall be deemed approved if the county legislative authority fails to reject or conditionally approve the plan within ninety days of the plan's submission to the county legislative authority or within thirty days of a hearing on the plan when the hearing is held within ninety days of submission to the county legislative authority. However, a county legislative authority may extend this ninety-day time limitation by up to an additional ninety days where a finding is made that ninety days is insufficient to review adequately the general comprehensive plan. In addition, the commissioners and the county legislative authority may mutually agree to an extension of the deadlines in this section.

If the district includes portions or all of one or more cities or towns, the general comprehensive plan shall be submitted also to, and approved by resolution of, the legislative authorities of the cities and towns before becoming effective. The general comprehensive plan shall be deemed approved by the city or town legislative authority if the city or town legislative authority fails to reject or conditionally approve the plan within ninety days of the plan's submission to the city or town or within thirty days of a hearing on the plan when the hearing is held within ninety days of submission to the county legislative authority. However, a city or town legislative authority may extend this time limitation by up to an additional ninety days where a finding is made that insufficient time exists to adequately review the general comprehensive plan within these time limitations. In addition, the commissioners and the city or town legislative authority may mutually agree to an extension of the deadlines in this section.

Before becoming effective, the general comprehensive plan shall be approved by any state agency whose approval may be required by applicable law. Before becoming effective, any amendment to, alteration of, or addition to, a general comprehensive plan shall also be subject to such approval as if it were a new general comprehensive plan. However, only if the amendment, alteration, or addition affects a particular city or town, shall the amendment, alteration, or addition be subject to approval by such particular city or town governing body.

[2009 c 253 § 4; 1997 c 447 § 18; 1996 c 230 § 501; 1990 1st ex.s. c 17 § 35; 1989 c 389 § 10; 1982 c 213 § 2; 1979 c 23 § 2; 1977 ex.s. c 299 § 3; 1959 c 108 § 6; 1959 c 18 § 6. Prior: 1939 c 128 § 2, part; 1937 c 177 § 1; 1929 c 114 § 10, part; RRS § 11588. Cf. 1913 c 161 § 10.]

NOTES:

Finding—Purpose—1997 c 447: See note following RCW 70.05.074.



October 22, 2018

Whatcom County Council
311 Grand Avenue, Suite 105
Bellingham, WA 98225

Re: Glacier Water District
Water System Comprehensive Plan
Review by County Council – RCW 57.16.010

Dear Council Members:

Enclosed are copies of Glacier Water District's Water System Comprehensive Plan. In accordance with RCW 57.16.010, the attached comprehensive plan must be reviewed and approved by the Whatcom County Engineer, the Whatcom County Health Director and the Whatcom County Council. Copies of the plan have been forwarded to the County Health Department, the County Engineering Department, and the County Planning Department for their review. The plan has also been submitted to WA State Department of Health for review and approval. The District received comments from DOH and incorporated changes into the Plan based on those comments. To date, the Plan has been approved by the County Health and Engineering Departments and State DOH.

In accordance with the referenced RCW, we are providing the enclosed Water System Comprehensive Plan for approval by the County Council. We understand that the Whatcom County Planning Department has reviewed the plan and will make recommendations to the Council. If you have any questions or require any additional information, please contact our office. We look forward to receiving Council approval within the next ninety days (RCW 57.16.010(7)).

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Schoenfelder", written over a horizontal line.

Curt Schoenfelder, P.E.
Wilson Engineering LLC

Encl.: Glacier Water District Water System Comprehensive Plan (August 2018)
(two hard copies, electronic files on thumb drive)
Email transmittal – Plan to County Planning

cc: Erica Kennedy, Glacier Water District
Matt Aamot, Whatcom County PDS



State of Washington

DEPARTMENT OF HEALTH

NORTHWEST DRINKING WATER REGIONAL OPERATIONS
20425 72nd Avenue South, Suite 310 • Kent Washington 98032-2388

October 18, 2018

KEVIN COPPS
GLACIER WATER DISTRICT
PO BOX 5070
GLACIER WA 98244-5070

RE: Glacier Water District, ID # 95915
Whatcom County
Water System Plan – 2018- APPROVAL
Submittal #18-0509

Dear Mr. Copps:

The Glacier Water District (the District) Water System Plan (WSP) which was received in this office on May 14, 2018, with a subsequent submittal on September 24, 2018, has been reviewed and in accordance with the provisions of WAC 246-290-100, is hereby APPROVED.

Approval of this WSP is valid as it relates to current standards outlined in Washington Administrative Code (WAC) 246-290 revised January 2017, WAC 246-293 revised September, 1997, RCW 70.116, and is subject to the qualifications herein. Future revisions in the rules and statutes may be more stringent and require facility modification or corrective action. An approved update of this WSP is required on or before October 18, 2028, unless ODW requests an update or plan amendment pursuant to WAC 246-290-100(9).

APPROVED NUMBER OF CONNECTIONS

The analysis provided in this WSP shows the water system has sufficient capacity to meet the growth projections during this planning period. The District's water system can support an "unspecified" designation for its approved number of connections. A specific number of approved connections will not be applied at this time. Development may occur in compliance with the schedule and information provided in this WSP. This designation may be rescinded (and replaced with a specified number of approved connections) if ODW determines that the WSP is no longer representative of system activities.

LOCAL GOVERNMENT CONSISTENCY

This document meets local government consistency requirements for WSP approval pursuant to RCW 90.03.386 and RCW 43.20.



SERVICE AREA AND DUTY TO SERVE

Pursuant to RCW 90.03.386(2), the service area identified in this WSP service area map may now represent an expanded "place of use" for this system's water rights. Changes in service area should be made through a WSP amendment.

The District has a duty to provide new water service within its retail service area. This WSP includes service policies to describe how your system plans to provide new service within your retail service area.

CONSTRUCTION WAIVERS

Standard Construction Specifications for distribution main extensions in this WSP are approved. Consistent with WAC 246-290-125(2), this system may proceed with the installation of distribution main extensions provided this system completes and keeps on file the enclosed construction completion report form in accordance with WAC 246-290-125(2) and WAC 246-290-120(5) and makes it available for review upon request by ODW.


WATER RESOURCES

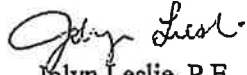
Below is the general regulatory language that applies to all water system approvals:

The department's review of your water system plan will not confer or guarantee any right to a specific quantity of water. The approved number of service connections is based on your representation of available water quantity. If the Washington Department of Ecology, a local planning agency, or other authority responsible for determining water rights and water system adequacy determines that you have use of less water than you represented, the number of approved connections may be reduced commensurate with the actual amount of water and your legal right to use it.

Thank you for your cooperation. Whatcom County is being notified of the terms and requirements of this approval and the determination of the approved number of connections. If you have any questions or wish to check our records, you may contact either of us at the numbers listed below.

Sincerely,


Richard Rodriguez
WSDOH Regional Planner
253 395-6771


Jolyn Leslie, P.E.
WSDOH Regional Engineer
253 395-6762

Encl: Construction Completion Report

cc: Matt Aamot, Whatcom County Planning and Development
John Wolpers, Whatcom County Health Department
Ria Berns, Department of Ecology, NWRO
Curt Schoenfelder, P.E., Wilson Engineering, Inc.

CONSTRUCTION COMPLETION REPORT FOR DISTRIBUTION MAIN PROJECTS

In accordance with WAC 246-290-120(5), a *Construction Completion Report* is required for all construction projects. Under the submittal exception process for distribution main projects, designed by a professional engineer but not submitted to DOH for approval, the report does not need to be submitted. However, the purveyor must keep the *Construction Completion Report* on file and make it available for review upon request by DOH in accordance with WAC 246-290-125 (2)(b). Furthermore:

- (1) The report form must bear the seal, date and signature of a professional engineer (PE) licensed in the state of Washington; and
- (2) Per WAC 246-290-120(5)(c), the amount of change in the physical capacity of a system must be documented, if the project results in a change in physical capacity.

GLACIER WATER DISTRICT	DOH System ID No.: <u>95915</u>
Name of Water System	Date Water System Plan that includes
KEVIN COPPS	Standard Construction Specifications
Name of Purveyor (Owner or System Contact)	Date Standard Specifications
PO BOX 5070	Approved by DOH: <u>10/18/2018</u>
Mailing Address	
GLACIER, WA 98244-5070	
City State Zip	

PROJECT NAME AND DESCRIPTIVE TITLE:
 (Include the name of any development project and number of services.) _____ Date Project or Portions Thereof Completed _____

PROFESSIONAL ENGINEER'S ACKNOWLEDGMENT

The undersigned professional engineer (PE), or his/her authorized agent, has inspected the above-described project that, as to layout, size and type of pipe, valves and materials, and other designed physical facilities, has been constructed and is substantially completed in accordance with construction documents reviewed by the purveyor's engineer. In the opinion of the undersigned engineer, the installation, physical testing procedures, water quality tests, and disinfection practices were carried out in accordance with state regulations and principles of standard engineering practice.

I have reviewed the disinfection procedures, pressure test results, and results of the bacteriological test(s) for this project and certify that they comply with the requirements of the construction standards/specifications approved by DOH.



Date Signed

Name of Engineering Firm

Name of PE Acknowledging Construction

Mailing Address

City State Zip

Engineer's Signature

State/Federal Funding Type (if any)

Please keep a completed, signed, and stamped copy on file.

<input checked="" type="checkbox"/> NWRO Drinking Water Department of Health 20425 72 nd Ave. S, Ste 310 Kent, WA 98032-2358 (253) 395-6750	<input type="checkbox"/> SWRO Drinking Water Department of Health PO Box 47823 Olympia, WA 98504-7823 (360) 236-3030	<input type="checkbox"/> ERO Drinking Water Department of Health 16201 E Indiana Ave, Suite 1500 Spokane Valley, WA 99216 (509) 329-2100
---	---	---

For persons with disabilities, this document is available on request in other formats. To submit a request, please call 1-800-525-0127 (TTY 1-800-833-6388).

WHATCOM COUNTY
Health Department



Regina A. Delahunt, Director
Greg Stern, M.D., Health Officer

July 11, 2018

RECEIVED

JUL 13 2018

WHATCOM COUNTY
COUNCIL

Curt Schoenfelder, PE
Wilson Engineering, LLC
805 Dupont St, Suite 7
Bellingham WA, 98225

Dear Curt,

The Whatcom County Health Department has received and reviewed the Glacier Water District Water System Plan. We have completed our review in accordance with the provisions in WAC 246-290 and based on addressing the Washington State Department of Health list of items, hereby approve your plan.

Sincerely,

A handwritten signature in cursive script that reads "John J. Wolpers III".

John J. Wolpers III RS/REHS
Whatcom County Environmental Health Manager

Cc: Clerk of the Whatcom County Council
Whatcom County Engineer
Whatcom County Planning
Washington State Department of Health, Northwest Regional Office



HARD COPY OF COMPLETE PLAN
(INCLUDES MAPS, CHARTS, AND
APPENDICES) AVAILABLE FOR
REVIEW IN THE COUNCIL
OFFICE, 311 GRAND AVENUE,
BELLINGHAM, WA.